

**EXHIBIT U**

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ALLERGAN USA, INC. and  
ALLERGAN INDUSTRIE, SAS

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

ALLERGAN USA, INC., and  
ALLERGAN INDUSTRIE, SAS,

Plaintiffs,

v.

MEDICIS AESTHETICS, INC.,  
MEDICIS PHARMACEUTICAL CORP.,  
VALEANT PHARMACEUTICALS  
NORTH AMERICA LLC,  
VALEANT PHARMACEUTICALS  
INTERNATIONAL, VALEANT  
PHARMACEUTICALS  
INTERNATIONAL, INC., AND  
GALDERMA LABORATORIES, L.P.

Defendants.

Case No. SACV13-01436 AG (JPRx)

**PLAINTIFF'S FIRST SET OF  
REQUESTS FOR ADMISSION  
[NOS. 1-12]**

PLAINTIFFS' FIRST SET OF REQUESTS FOR ADMISSION  
Case No. SACV13-01436 AG (JPRx)

Exhibit U

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Plaintiffs Allergan USA, Inc., and Allergan Industries, SAS request that Defendants Medicis Aesthetics, Inc., Medicis Pharmaceutical Corp., Valeant Pharmaceuticals North America LLC, Valeant Pharmaceuticals International, Valeant Pharmaceuticals International, Inc. and Galderma Laboratories, L.P. answer the following Requests for Admission separately and fully, in writing, under oath, by an officer or agent of Medicis Aesthetics, Inc., Medicis Pharmaceutical Corp., Valeant Pharmaceuticals North America LLC, Valeant Pharmaceuticals International, Valeant Pharmaceuticals International, Inc. and Galderma Laboratories, L.P., within thirty (30) days after service. Answers must be signed and verified by the person making them and objections signed by the attorney making them. The following definitions and instructions apply.

#### DEFINITIONS

1. "Plaintiffs" mean and refer to Allergan USA, Inc., and Allergan Industries, SAS.

2. "Defendants", "you", and "your" mean and refer to Medicis Aesthetics, Inc., Medicis Pharmaceutical Corp., Valeant Pharmaceuticals North American LLC, Valeant Pharmaceuticals International, Valeant Pharmaceuticals International, Inc., Galderma Laboratories, L.P. and every present and former officer, director, managing agent, employee, attorney, consultant, expert, and all other persons purporting to act on behalf of Defendants or their corporate predecessors, and are meant to include, without limitation, any parent company, predecessor-in-interest, successor, division or subsidiary.

3. The term "HA" means and refers to hyaluronic acid.

4. The term "HA component" means and refers to (1) HA cross linked with 1,4-butanediol diglycidyl ether (BDDE), and uncrosslinked HA, or (2) to HA crosslinked with a crosslinking agent selected from the group consisting of 1,4-

1 butanediol diglycidyl ether (BDDE), 1,4-bis(2,3-epoxypropoxy)butane, 1,4-  
2 bisglycidyl oxybutane, 1,2-bis(2,3-epoxypropoxy)ethylene and 1-(2,3-epoxypropyl)-  
3 2,3-epoxycyclohexane.

4 **INSTRUCTIONS**

5 A. Answer each request for admission separately and fully in writing  
6 under oath. If you object to any request for admission in part, respond to the extent  
7 you do not claim the request for admission is objectionable.

8 B. You are to apply the Court's claim constructions in responding to these  
9 requests. (*See* D.I. No. 79.)

10 C. If, in responding to these requests for admission, you encounter any  
11 ambiguity or vagueness in construing the request or any definition or instruction, set  
12 forth what you deem ambiguous and the construction chosen or used in responding  
13 to such request.

14 D. Where a request for admission does not specifically request a particular  
15 fact(s) but where such fact(s) is necessary to make the answer(s) to the request either  
16 comprehensible or not misleading, you are requested to include such fact(s) as part  
17 of your answer.

18 E. Where an objection is made to a request for admission, state all grounds  
19 upon which your objection is based. If you object to any request in part, respond to  
20 the extent you do not claim the request is objectionable.

21 F. If, after exercising due diligence to obtain the requested information,  
22 you cannot answer any of the following requests for admission in full, answer to the  
23 extent possible and specify what efforts you made to obtain the requested  
24 information and the reasons why you are unable to answer the remainder of the  
25 request.

1 G. The obligation to answer these requests for admission is continuing and  
2 you are required to provide supplemental responses in accordance with Federal Rule  
3 of Civil Procedure 26(e).

4 **REQUESTS FOR ADMISSION**

5 **REQUEST FOR ADMISSION NO. 1:**

6 Admit that Perlane-L® comprises a HA component.

7 **REQUEST FOR ADMISSION NO. 2:**

8 Admit that the HA component of Perlane-L® comprises particles of crosslinked HA  
9 in a relatively fluidic medium of uncrosslinked HA.

10 **REQUEST FOR ADMISSION NO. 3:**

11 Admit that the HA component of Perlane-L® is a hydrated gel.

12 **REQUEST FOR ADMISSION NO. 4:**

13 Admit that the lidocaine in Perlane-L® is freely released in vivo.

14 **REQUEST FOR ADMISSION NO. 5:**

15 Admit that the lidocaine in Perlane-L® is freely released in a patient's body.

16 **REQUEST FOR ADMISSION NO. 6:**

17 Admit that Perlane-L® has an extrusion force that is substantially constant for at  
18 least 9 months.

19 **REQUEST FOR ADMISSION NO. 7:**

20 Admit that Restylane-L® comprises a HA component.

21 **REQUEST FOR ADMISSION NO. 8:**

22 Admit that the HA component of Restylane-L® comprises particles of crosslinked  
23 HA in a relatively fluidic medium of uncrosslinked HA.

24 **REQUEST FOR ADMISSION NO. 9:**

25 Admit that the HA component of Restylane-L® is a hydrated gel.

26 **REQUEST FOR ADMISSION NO. 10:**

27 Admit that the lidocaine in Restylane-L® is freely released in vivo.

1 REQUEST FOR ADMISSION NO. 11:

2 Admit that the lidocaine in Restylane-L® is freely released in a patient's body.

3 REQUEST FOR ADMISSION NO. 12:

4 Admit that Restylane-L® has an extrusion force that is substantially constant for at  
5 least 9 months.

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7 Dated: December 8, 2014

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FISH & RICHARDSON P.C.

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By: /s/ Elizabeth M. Flanagan

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Elizabeth M. Flanagan

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Attorneys for Plaintiffs

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ALLERGAN USA, INC. AND

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ALLERGAN INDUSTRIE, SAS

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**PROOF OF SERVICE**

I am employed in the County of New Castle, my business address is Fish & Richardson P.C., 222 Delaware Avenue, 17<sup>th</sup> Floor, Wilmington, Delaware. I am over the age of 18 and not a party to the foregoing action.

On December 8, 2014, I caused a copy of the following document(s):

**PLAINTIFFS' FIRST SET OF REQUESTS FOR ADMISSION**

to be served on the interested parties in this action by ELECTRONIC MAIL as follows:

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☒ **ELECTRONIC MAIL:** Such document was transmitted by electronic mail to the addressees' email addresses as stated above.

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury that the above is true and correct. Executed on December 8, 2014, at Wilmington, DE.

/s/ Kim M. Kilby  
Kim M. Kilby

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